In this seminar we will examine the ways in which the legal system treats children differently than adults and the justifications for such treatment. With these differences in mind we will focus on the central question of who should make decisions for the child. An attempt will be made to ascertain the respective decisional authority that should be granted to parents, children and the state in various contexts. We will also discuss the various roles that attorneys can assume in "representing" children.

An examination based on the reading material, a paper and a presentation based on the paper will be required. Some suggested topics for the research paper are listed below. You are free to write on other topics subject to my approval. The presentation will last approximately thirty minutes and will take place during the final four weeks of the semester. During the first ten weeks we will be discussing readings from the text. It is imperative that you be fully prepared to engage in these discussions. The reading assignments are lengthy, but they cover only ten weeks. The exam will be given at the end of the ten weeks.

Your grade will be based on the exam (30%), your paper (50%) and your presentation (20%).

COURSE OUTLINE

I. Introduction
   A. An Introductory Look at the Nature of Children’s Rights, 1-14

II. “Children’s Rights”
   A. The Law’s Evolving Conception, 14-36, 63-79
   B. Education 36-63, 11102-17, 91-103
   C. Privacy Rights 78-91


III- The Parent-Child Relationship
   A. Establishing Paternity and Maternity 125-138
   B. Who is a Parent? 139-175
   C. Guardianship, 186-200
   D. Emancipation, 200-205

IV. Abuse and Neglect
   A. Introduction: Discovering Abuse, 286-291
   B. Discovering Abuse 291-293, 300 -305
   C. Patterns of Abuse and Neglect, 320-343
D. Corporal Punishment 343-352
E. Sexual Abuse 353-366
F. Newborns with Positive Toxocologies 366-72
G. Duty to Investigate, 373-383
H. The Reasonable Efforts Requirement, 385-392
I. Termination of Parental Rights, 391-411, 415-418 Mo Rev. Stat Chapter
J. Social Class, Ethnic & Racial Bias 424-440

V - Medical Decision-Making for the Child

A. Decision-Making Authority, 762-770
B. Medical Neglect, 792-819
C. Withholding Medical Care
   Infants 820-826
   Older Children 827-833

VI - Adoption

A. Introduction, 657-659
B. Agency Adoptions and Private Placements 677-687
C. The Consent Requirement, 697-731
D. Open Adoption, 732-737
E. Cultural and Religious Identity, 737-747
G. Post Adoption Issues
   Misrepresentation 748-757
   Search for Identity 757-761

VII. Representing Children

B. Assessing a Child’s Capacity to Choose 212-218
C. Interviewing Children 219 - 222